

REMARKS

Claims 13, 15, 17-23, 25-28, 30 and 31 are currently pending. In view of the above amendments and the following remarks, Applicants submit that claims 13, 15, 17-23, 25-28, 30 and 31 recite patentable subject matter. Accordingly, Applicants request the favorable consideration and allowance of claims 13, 15, 17-23, 25-28, 30 and 31.

Claims 13, 15, 17-23, 25-28, 30, and 31 are rejected under 35 U.S.C. 112, first paragraph as failing to comply with the written description requirement. Applicants respectfully submit that the specification does provide support for the features recited in the rejected claims.

The Examiner indicates that that the specification does not provide support for the feature of “wherein the first and second lenses reach the desired reference point simultaneously in discrete individual steps of varying magnitude at a same time.” It is submitted that Page 3, lines 20-30 of the specification provide support the cited feature. This passage discloses:

“The reference points given by optical calculations for the mathematical controlling curve of the stereo microscope zoom system reside as programmed values in storage elements (e.g., EPROM or PC memory media). With actuation of the electric zoom operator controls (rocker switch or foot switch with forward and reverse control functions and additional “gas” functions, i.e., control of the zoom drive at different speeds,) the linear drives (when there are two optical elements to be driven, for example) are controlled simultaneously and cover a different number of individual steps per unit of time depending on the mathematical curve. In this way, the moving optical elements reach their reference positions to be set according to optical computation (data sheet) in discrete individual steps of varying magnitude depending on the desired zoom resolution.”

It is submitted that this passage disclose the feature of “wherein the first and second lenses reach the desired reference point simultaneously in discrete individual steps of varying magnitude at a same time”. Specifically, the passage provide support for multiple optical elements that reach the desired reference point simultaneously in discrete individual steps of

varying magnitude at the same time.

The Examiner also indicates that the feature of "wherein the first and second lenses ensure a sharp image at all time during the movement required to reach the desired reference point". It is submitted that this feature is supported by the above passage as well as by the passage on page 4, Lines 14-19, of the specification.

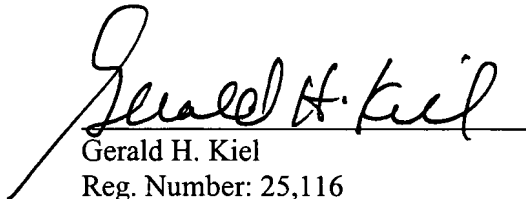
It is respectfully submitted that the specification provides support for these features. Therefore, Applicants respectfully request the withdrawal of the rejections of claims 13 and 25 under 35 U.S.C. 112.

Claims 15, 17-23, 26-28, 30 and 31 are dependent upon claims 13 and 25. Therefore, it is submitted that these claims recite patentable subject matter for at least the reasons mentioned above. Accordingly, Applicants request the withdrawal of the rejection of claims 15, 17-23, 26-28, 30 and 31 under 35 U.S.C. 112.

Based upon the above amendments and remarks, Applicant respectfully requests reconsideration of this application and its earlier allowance. Should the Examiner feel that a telephone conference with Applicant's attorney would expedite the prosecution of this application, the Examiner is urged to contact him at the number indicated below.

Respectfully submitted,

Reed Smith LLP
599 Lexington Avenue
29th Floor
New York, NY 10022-7650


Gerald H. Kiel
Reg. Number: 25,116
Telephone: 212-521-5400
Facsimile: 212-521-5450

GHK/BKS/aw